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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/843,429	04/25/2001	Anita B. Marsh	06269-030001	8544
26211	7590	06/27/2005	EXAMINER	
FISH & RICHARDSON P.C. CITIGROUP CENTER 52ND FLOOR 153 EAST 53RD STREET NEW YORK, NY 10022-4611			VU, TUAN A	
			ART UNIT	PAPER NUMBER
			2193	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/843,429

Applicant(s)

MARSH ET AL.

Examiner

Tuan A. Vu

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Art Unit: 2193

DETAILED ACTION

1. This action is responsive to the application filed 5/12/2005.

Claims 1-2, 15-16, 23-24 have been amended; and claim 34 has been added. Claims 1-33 have been re-submitted for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aravamudan et al., USPN: 6,584,186 (hereinafter Aravamudan), in view of Reifer et al., USPN: 6,421,727 (hereinafter Reifer).

As per claim 1, Aravamudan discloses a method comprising:

retrieving a call service component to a call controller (e.g. *servlet 180, applet 175, call coordinator 160* – Fig. 1; col. 10, lines 34 to col. 11, line 17; Fig. 4) in response to a network carrier turns on a service, corresponding to the call service component, for a particular user area (e.g. *PSTN/IP, softswitch* - col. 7, lines 32-44; *in response to a request* - col. 11, lines 18 to col 12, line 8 – Note: carrier PSTN and Lucent call coordinator with associated call services read on network carrier service for a particular area covered by SIP and SS7 protocol domains spanned by a namespace); and

using the call service component to support telecommunication traffic to or from a gateway under control of the call controller (e.g. col. 12, line 40 to col. 13, line 20; Fig. 4).

Art Unit: 2193

But Aravamudan does not explicitly teach downloading of the call service component; however, discloses that the applet can be obtained from a network (col. 7, lines 5-18). Hence, the concept of downloading is strongly implied. Downloading of Java components to help execute method for servicing end user calls is further taught in Reifer's system using gateway in conjunction of service providers to download code into a controller communicating with gateway (Fig. 9; col. 29 to col. 10, line 27). In case Aravamudan does not already teach downloading, it would have been obvious for one skill in the art at the time the invention was made to implement Aravamudan's controller executing the service component so that it have capability to download applet from a external provider or code repository as shown by Reifer because this concept of retrieving ready made code, like a applet or servlet, via download from remote source was a known concept at the time the invention was made, a concept strongly implied by Aravamudan's above teachings and because it takes advantage of Browser utilities to effect the download as evidenced by Reifer, thus optimizing resource usages (col. 8, lines 16-40).

As per claim 2, Aravamudan does not explicitly teach dynamic downloading; but Reifer teaches downloading during a browser session as shown in claim 1; hence teaches dynamically downloading the call service component when a network carrier turns on a service, corresponding to the call service component. Hence, it would have been obvious for one skill in the art at the time the invention was made to provide such dynamic loading of call service components as taught by Reifer to Aravamudan because of the browser intensive nature of the PTSN integration service by Reifer using Java based components also as taught Aravamudan (session col. 8, lines 59-65), which entails a connection activated on the basis of one user's

Art Unit: 2193

request and a session thereof cannot be interrupted for the mere fact of downloading service programs, and this is provided via Reifer's teaching.

As per claim 3, Aravamudan discloses dynamically removing the call service component from the call controller (e.g. *call takedown, disconnect command* – col 11, lines 45-65).

As per claim 4, Aravamudan does not explicitly disclose that the call service component uses a half-call model that views a call either as an originating or a terminating segment of the call; but in view of the 2 sides of a call (e.g. Fig. 1; col. 6, lines 10-62 – Note: the use of gateways to address each end of a network communication implicitly discloses 2 segments of a call, i.e. the source side and a destination side), this half-call model is disclosed.

As per claim 5, Aravamudan (see col. 9, lines 8-17) in combination with Reifer (see Fig. 6-7) discloses or has rendered obvious, according to the rationale as set forth in claim 2 above, downloading the call service component from a central repository.

As per claim 6, Aravamudan does not specifically disclose that each segment of the call handles service and access protocols according to a previously downloaded call service component with which the segment is associated. But in view of the teaching of the double side (re claim 4) of a call establishing as shown via Fig. 1-5, the use of the applet being selected in Fig. 4 for handling the segment of the 2-sided call event is implicitly disclosed (e.g. col. 9, line 66 to col. line 17).

As per claim 7, Aravamudan does not disclose a wrapper surrounding a set of core functions, wherein the wrapper supports dynamic downloading of the component to the call controller. Official notice is taken that Java code transmitted for use across platform and using a wrapper utilities to help unravel the package, e.g. Java packages, at the recipient end for

Art Unit: 2193

facilitating data encapsulation/transmission or security/control purposes was a known concept in network transmission at the time the invention was made. Besides, both Aravamudan and Reifer disclose security controllers and gateways, with Reifer further exhibiting security features such as data auditing or rejecting and data package and data reformatting by gateways (col. 6, line 11 to col. 7, line 53). Hence, it would have been obvious for one skill in the art at the time the invention was made to implement a wrapper to the process of transmitting service components as mentioned by Aravamudan's method so that received components would facilitate transmission via the security control as taught by well-known concept or benefit from encapsulation or protection of data via the refitting or format reversion as suggested by Reifer.

As per claim 8, Aravamudan does not explicitly disclose downloading the call service occurs while the call controller is operational and supporting live traffic, the call service being downloaded without disrupting the live traffic. But in view of the rationale of claim 2, this limitation would have been obvious for the same rationale as set forth therein.

As per claim 9, Aravamudan discloses an application component for implementing call behavior (e.g. Fig. 2-3; col. 8, line 27 to col. 9, line 7 – Note: implementing a call according to a tree of events reads on call behavior).

As per claim 10, Aravamudan discloses a resource component for providing access to telephony resources (col. 9, lines 8-17; col. 10, lines 12-27; col. 11, lines 12-17) by an application component that implements call behavior.

As per claim 11, Aravamudan (combined with Reifer) discloses establishing a call having an originating segment that uses the call service component downloaded to the call controller by virtue of the rationale as set forth in claim 4.

As per claim 12, Aravamudan does not explicitly disclose that the call service component downloaded to the call controller represents a first call type, and wherein the call has a terminating segment that represents a different call type while the downloading of components has been rendered obvious as in claim 1. Aravamudan discloses the PTSN islands/namespaces specific to a certain protocol in the scheme of the 2 sides on a call (col. 5, lines 1-20; col. 6, lines 10-33) and selecting of a component for such context (col. 7, lines 48-59; Fig. 3). Hence the limitation of a first call type relating to a downloaded applet and a different call type relating to another applet being downloaded is implicitly disclosed or, if not, would have been obvious in view of the rationale to download components using the teaching by Reifer as above.

As per claim 13, the limitation as to establishing a call having a terminating segment that uses the call service component downloaded to the call controller would have been the counterpart of the first type of call as mentioned in claim 12; hence would be rejected using the same rationale as set forth above.

As per claim 14, this claim correspond to the counterpart of claim 12 and represent the opposite end of the first type of call as recited therein; hence would be rejected using the same rationale as set forth above.

As per claim 15, Aravamudan discloses a telecommunication system comprising: a repository of call service components; a call controller; and a gateway under control of the call controller (e.g. *server, coordinator* - Fig. 1; col. 9, lines 8-17); wherein the call controller is configured for retrieving a call service component from the repository (Fig. 4; col. 9, lines 8-17) in response to a network carrier turns on a service, corresponding to the call service component, for a particular user area (e.g. *PSTN/IP, softswitch* - col. 7, lines 32-44; *in response to a request*

Art Unit: 2193

- col. 11, lines 18 to col. 12, line 8); and using the call service component to support telecommunication traffic to or from the gateway (e.g. *servlet 180, applet 175, call coordinator 160* – Fig. 1; col. 10, lines 34 to col. 11, line 17; col. 12, line 40 to col. 13, line 20; Fig. 4).

But Aravamudan does not explicitly teach downloading of the call service component. This limitation has been addressed in claim 1 above.

As per claim 16, Aravamudan does not explicitly disclose that the call controller is configured for dynamically downloading the call service. But this limitation has been addressed in claim 2 above.

As per claims 17, 18, 19, and 20, these claims correspond to claims 3-4, 6 and 7, respectively; hence are rejected with the corresponding rejection as set forth therein.

As per claim 21, refer to the rationale as set forth in claim 8.

As per claim 22, this claim recites the limitations of claims 9 and 10; hence is rejected with the corresponding cited portions as set forth therein.

As per claim 23, Aravamudan discloses an article comprising a computer-readable medium storing computer-readable instructions for causing a computer system to:

retrieve a particular call service component from a repository of call service components in response to a network carrier turns on a service, corresponding to the call service component, for a particular user area; and

use the particular call service component to support telecommunication traffic to or from a gateway under control of a call controller; all of these limitations **having been rejected** with Aravamudan with the corresponding cited portions as set forth in claim 1.

Art Unit: 2193

But Aravamudan does not explicitly teach downloading of the call service component.

This limitation has been addressed in claim 1 above.

As per claims 24-26 and 27-31, these claims correspond to claims 2-4, and 6-9, respectively; hence are rejected with the corresponding rejection as set forth therein

As per claim 32, this claim recites the limitations of claim 11 and claim 5; hence is rejected with the corresponding cited portions as set forth therein.

As per claim 33, this claim recites the limitations of claim 13 and claim 5; hence is rejected with the corresponding cited portions as set forth therein.

As per claim 34, Aravamudan discloses a method comprising:

retrieving a call service component to a call controller (e.g. *servlet 180, applet 175, call coordinator 160* – Fig. 1; col. 10, lines 34 to col. 11, line 17; Fig. 4) when a network carrier turns on a service, corresponding to the call service component, for a particular user area (e.g. *PSTN/IP, softswitch* - col. 7, lines 32-44; *in response to a request* - col. 11, lines 18 to col 12, line 8 – Note: carrier PSTN and Lucent call coordinator with associated call services read on network carrier service for a particular area covered by SIP and SS7 protocol domains spanned by a namespace); and

using the call service component to support telecommunication traffic to or from a gateway under control of the call controller (e.g. col. 12, line 40 to col. 13, line 20; Fig. 4);

dynamically removing the call service component from the call controller (e.g. *call takedown, disconnect command* – col 11, lines 45-65).

Aravamudan does not explicitly disclose dynamically downloading a call service component. This limitation has been addressed in claim 1 above.

Nor Aravamudan does not explicitly disclose a wrapper surrounding a set of core functions for support of the dynamic downloading of the call service component. Aravamudan discloses transmission of applets; and Java code transmitted for use across platform and using a wrapper utilities to help unravel the package, e.g. Java packages, at the recipient end for facilitating data encapsulation/transmission or security/control purposes was a known concept in network transmission at the time the invention was made. Besides, both Aravamudan and Reifer disclose security controllers and gateways and Java applications/applet downloading, with Reifer further exhibiting security features such as data auditing or rejecting and data package and data reformatting by gateways (col. 6, line 11 to col. 7, line 53; *ACE package* – col. 7, lines 49 to col. 8, line 5). Hence, it would have been obvious for one skill in the art at the time the invention was made to implement a wrapper to the process of transmitting service components as mentioned by Aravamudan's method so that received components would facilitate transmission via the security control as taught by well-known concept or benefit from encapsulation or protection of data via the refitting or format reversion as suggested by Reifer.

Response to Arguments

4. Applicant's arguments filed 5/12/2005 have been fully considered but they are not persuasive. Following are the Examiner's observations in regard thereto.

(A) Applicants have submitted that the invention as from the amended claim 1 implements a system as a softswitch that might 'enable a network carrier to install its own services ... cooperate with each other' and that Aravamudan's applet downloading and Reifer's provisioning for a gateway service do not disclose or suggest downloading 'when a network carrier turns on a service' (Appl. Rmrks, pg. 8 bottom, pg. 9 top). It is noted that in addressing the limitation

Art Unit: 2193

recited as 'in response to a network carrier turning on a service ... for a particular user area' the rejection has put forth Aravamudan's portions teaching the carrier network being a PSTN/IP network including POTS, SS7, IP network and gateways and *softswitch* (as mentioned in the argument), among others; and that the service (turned onto by the carrier network) includes the call coordinator using a SS7 namespace covering a user area. The claim does not provide specificity in terms of the elements recited as *network carrier*, *service ...to a service component*, and *a particular area* for the limitations as claimed to distinguish from the cited parts from Aravamudan as set forth. The argument appear to allege that the references do not teach or suggest a claimed invention without pointing out specifics as to how the language of the claims patentably distinguishes over the prior art; hence Applicants have not fulfilled the responsibility incumbent to the Applicants as set forth in CFR §1.111, which to point out the specific distinctions believed to have rendered the claims patentable over any applied references.

(B) Applicants have submitted that none of the references discloses or suggests the claimed feature of claim 3 referred to as 'dynamically removing' as opposed to just disconnecting as in Aravamudan (Appl. Rmrks, pg. 9 bottom). For one skill in the art, when faced with a phraseology like 'dynamically removing' in light of teaching by prior art such as by Aravamudan identifying that a call is no longer required to be sustained and therefore disconnecting it, there is hardly any clear distinction between removing a call (as claimed) and disconnecting (as cited) a call in the context of dynamically serving a live request. In light of broad and reasonable interpretation, it is deemed by one skill in the art of analyzing call processing that the above claimed limitation has been met by the concept perceived from Aravamudan's teaching. Hence,

Art Unit: 2193

the argument amounts to mere allegation without convincingly pointing out how a claimed feature clearly avoids the specifics of the reference applied.

(C) The remaining arguments (Appl. Rmrks, pg. 10) are not specific or fall under the ambit of the subject matter being tended to in sections B or A above. Hence, they are not persuasive. Therefore, the claims stand rejected as set forth in the Office Action.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A Vu whose telephone number is (272) 272-3735. The examiner can normally be reached on 8AM-4:30PM/Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571)272-3719.

Art Unit: 2193

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-3735 (for non-official correspondence – please consult Examiner before using) or 703-872-9306 (for official correspondence) or redirected to customer service at 571-272-3609.

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

VAT
June 20, 2005


ANIL KHATRI
PRIMARY EXAMINER